

Attorney for Debtor
Christopher Mark Winslow #76156
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1324 Sycamore Square, Suite 202C
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(804) 423-1382

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

IN RE: Jiles R. Smith,
Debtor,
13524 Ridgemore Dr.
Midlothian, VA 23114
Last four of SS # 5164

Chapter 13
Case No. : 17-30804-KRH

**Notice of Motion to Vacate Order of Dismissal
and Notice of Hearing**

Jiles R. Smith, has filed papers with the Court, a Motion to Vacate Order of Dismissal upon the Order of Dismissal Upon Denial of Confirmation pursuant to Local Bankruptcy Rule 3015-2.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to grant the Motion to Vacate Order of Dismissal, or if you want the Court to consider your views on the motion, not later than (7) days from the date of hearing on the Motion to Vacate Dismissal, you or your attorney must:

File with the Court, at the address shown below, a written response pursuant to Local Bankruptcy Rules 4001(a)-1(c) and 9013-1(H). If you mail your response to the court for filing, you must mail it early enough so the Court will receive it on or before the date stated above. You must mail a copy of your response to the following:

Clerk of Court	Christopher M. Winslow, Esq.	U.S. Trustee	Carl M. Bates, Trustee
U. S. Bankruptcy Court	1324 Sycamore Square	701 E. Broad St, #4304	P.O. Box 1819
701 E. Broad St; # 4000	Suite 202C	Richmond, VA 23219	Richmond, VA 23218
Richmond, VA 23219	Midlothian, VA 23113		

NOTICE IS HEREBY GIVEN that this Motion may be allowed provided no response and request for a hearing is made by any party in interest in writing to the Clerk of this Court not less than fourteen (14) days prior to the hearing on the Motion to Vacate Dismissal. If no timely response has been filed, opposing the relief requested, the Court may grant the relief requested in the Motion without a hearing. If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motions, and may enter an order granting that relief.

Further Notice is given that if a Response and a request for a hearing is filed by a party in interest within the time indicated a hearing will be conducted on the Motion and Response thereto at a date, time and place to be later set by this Court and all interested parties will be notified accordingly. If no request for a hearing is timely filed, the Court may rule on the Motion and response thereto ex parte and without further notice.

Certificate of Service

I hereby certify that on this November 29, 2017, I mailed the foregoing Motion to Vacate Order of Dismissal, Notice of Motion and the Notice of Hearing was mailed by electronic mail or first class mail, postage pre-paid to: United States Trustee at 701 E. Broad Street, Room 4304, Richmond, VA 23219, Trustee, and to all the creditors and parties of interest herein.

/s/ Christopher M. Winslow
Christopher M. Winslow

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**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

IN RE: Jiles R. Smith ,
Debtor,
237 Callaway Lane
Farmville, VA 23901
Last four of SS # 9595

Chapter 13
Case No. : 17-30804-KRH

NOTICE OF HEARING

PLEASE TAKE NOTICE that on **December 6, 2017 @ 12:00 PM** or as soon thereafter as is practical, we will appear before the Honorable Kevin R. Huennkens Room 5000 of the United States Bankruptcy Court, Eastern District of Virginia, Richmond Division located at 701 E. Broad Street, Richmond on the **Debtors' Motion to Vacate Dismissal**.

Jiles R. Smith

BY: /s/ Christopher M. Winslow
Counsel

CERTIFICATE

I hereby certify that on 11/29/2017, I mailed the foregoing document by first class mail, postage pre-paid to:, U.S. Trustee, United States Trustee at 701 E. Broad Street, Room 4304, Richmond, VA 23219, the debtors(s), the Chapter 13 Trustee and all creditors and parties of interest herein.

/s/ Christopher M. Winslow
Christopher M. Winslow

Attorney for Debtor
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**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

IN RE: Jiles R. Smith,
Debtor,
13524 Ridgemore Dr.
Midlothian, VA 23114
Last four of SS # 5164

Chapter 13
Case No. : 17-30804-KRH

Motion to Vacate Dismissal

COMES NOW, Jiles R. Smith, the Debtor, by Counsel, Christopher M. Winslow, Esq. to move this Court for an order vacating the Order of Dismissal entered by the Court on November 28, 2017. In support of this Motion, the debtors state the following:

1. The debtor filed a Voluntary Petition under Chapter 13 of the United States Bankruptcy Code on February 21, 2017.
2. The meeting of creditors was held on March 30, 2017.
3. The Debtors' plan was set to confirm on October 25, 2017 however an Order Denying Confirmation of Plan was entered instead.
4. The Order of Dismissal Upon Denial of Confirmation was filed on November 28, 2017 as a result of failure to take action under LBR 3015-2.
5. Counsel was mistaken and believed there was a prior confirmed plan that would revert upon denial of confirmation.
6. Counsel has prepared a corrected modified plan that is ready to be submitted to the Court.
7. Wherefore the debtor, Jiles R. Smith, prays that this case be reinstated.

Respectfully submitted:

Jiles R. Smith

By: /s/ Christopher M. Winslow , Counsel

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CREDITORS

Cheryl R. Smith
6637 Southshore Drive
Midlothian VA 23112

Cheryl Russell
6637 Southshore Dr.
Midlothian, VA 23112

Comcast Corp.
Comcast Center
1701 JFK Blvd.
Philadelphia, PA 19103-0000

Commonwealth of VA
Office of the Attorney General
DCSE - Bankruptcy Unit
2001 Maywill St. Ste. 200
Richmond, VA 23230

Commonwealth of VA-Tax
P.O. Box 2156
Richmond, VA 23218-2156

Credit Protection Assoc.
13355 Noel Rd Suite 2100
Dallas, TX 75240-0000

DCSE
1610 Forest Ave. Ste. 200
Henrico, VA 23229-0000

ERC/Enhanced Recovery Corp
8014 Bayberry Rd
Jacksonville, FL 32256-0000

First Step Group, LLC
6300 Shingle Creek Parkway
Ste. 220
Brooklyn Center, MN 55430-0000

Ford Motor Credit Company, LLC
c/o Randolph, Boyd, Cherry and Vaughan
13 East Main Street
Richmond, VA 23219

IC Systems, Inc
444 Highway 96 East
St Paul, MN 55127-0000

Internal Revenue Service
Centralized Insolvency Unit
P.O. Box 7346
Philadelphia, PA 19101-7346

Land Rover Capital Group
c/o Randolph, Boyd & Assoc.
13 East Main St.
Richmond, VA 23219-0000

Natl Fitness
1645 E Hwy 193
Layton, UT 84040-0000

North Shore Agency
P.O. Box 9221
Old Bethpage, NY 11804-0000

Onyshia Harris
10712 Timberun Rd.
Chesterfield, VA 23832-0000

Onyshia Harris
c/o Syreeta B. Stewart
4860 Cox Rd. Ste. 218
Glen Allen, VA 23060-0000

Receivable Management Inc
7206 Hull Rd
Ste 211
Richmond, VA 23235-0000

Regional Acceptance Co
10051 Midlothian Tpke
North Chesterfield, VA 23235-0000

Regional Acceptance Corporation
PO Box 1847
Wilson, NC 27894-1847

Reviver Financial, LLC

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Attn: Bankruptcy Department
P.O. Box 3023
Hutchinson, K.S. 67504